









THE BRITISH COLONIST

Saturday Morning, September 5, 1863.

HOUSE OF ASSEMBLY.

Friday, 4th September, 1863.

THE BEER EMBARGO TO BE RIGIDLY ENFORCED.

It will be seen by the following copy of a notice which is now posted up in the office of the Collector of Customs at Port Angeles, that the announcement made in our issue of yesterday morning, based upon what we believed to be reliable information, was correct in every particular.

TRADING DEPARTMENT, Aug. 30th, 1863.

Sir, I have received your letter of June 29, 1863, relative to the exportation of live stock, &c., from your port.

In view of the condition of things on the Pacific coast, it is deemed expedient to present to shipment or modify the order prohibiting such shipments.

Very respectfully,  
(Signed) GEORGE HARRISON,  
Acting Secretary.

Victor Smith, Esq.,  
Collector of Customs,  
Pugot Sound District.

In connection with the above, we are informed, that letters received last mail by the collector of the Pugot Sound district are of such a nature, that that officer will not be at liberty to permit even the shipment of dressed meats as heretofore, although, personally, he has expressed the gratification it would afford him to see such shipments continued.

Of the feeling which this prohibitory order will engender on both sides of the Sound there cannot be two opinions. In our case, although there may be some who are of opinion that there is a remedy within our reach which ultimately will tend to benefit rather than injure these colonies.

With the people of Washington Territory the case is widely different, and we fail far from seeing "the condition of things on the Pacific coast," which renders it expedient for the United States Government thus to evince an unfriendly spirit towards a neighboring power, and at the same time inflict injury upon its own loyal and unoffending subjects.

Let our friends here on the other side represent their own grievances and fight their own battles; we have now a certain duty to deal with, and the sooner we bestir ourselves the better.

On our part, we do not make some allusion to the part taken by the officer who has hitherto been made to bear the entire odium of the restriction. Victor Smith's worst enemies must now perceive that he is not only the author of the restriction, but the author of its continuance.

It is also manifest from the tenor of the Acting Secretary's reply that the earliest opportunity will be taken by the collector to endeavor to have the noxious embargo removed.

Supreme Court.

[SUMMARY SUITS.]

(Before Chief Justice Cameron.)

His Honor gave judgment in the following cases:  
*Coker vs. Briggs*—Claim for \$270 for work and labor on a contract, and also for damages in making or altering certain shutters and other iron work.

Mr. McCreight, instructed by Mr. Denues, for plaintiff, and Mr. Drake for defendant. The Chief Justice stated that the defendant had not wholly made out his case. He should deduct for contract incomplete, and also for the extra work, leaving a balance of \$104, for which he gave judgment.

*Heywood v. Battell*—This was an action brought by Mr. Heywood to recover the \$84 of the defendant, on some hogs bought by Heywood, one-half of which had been agreed to be taken by Battell. It appeared Heywood was afterwards called upon to pay the seller \$124. In consequence of a mistake as to the weight of the hogs, the half of this sum Heywood sued Battell. Mr. Bishop was for plaintiff, Mr. McCreight, instructed by Mr. Denues, for defendant.

In giving judgment, His Honor said the case was a mistake, and that the mistake had been discovered, and reflected credit on him, but inasmuch as it appeared he had not paid on completion, the defendant (Battell) was not liable to him and, therefore, there must be no judgment of nonsuit.

*Mongkian vs. Bunter*—This was an action by a steamer against the well-known purveyor of ale, and candidate at the last election, who is still in the field for the supply of the house of John Barclay-corn. The sum claimed was \$70.

The defendant admitted \$10 only, which he paid into court in satisfaction. The Judge held that the plaintiff had not made out his case, and that the defendant was the successful candidate. Drake for plaintiff, Bishop for Defendant.

*Peter Lind v. Mr. Ray*—This was a claim on a tipping account for \$23 for divers goods and edibles, with drinks commensurate. The Chief Justice, who has steadily set his face against recognizing actions for the recovery of drinks under the Tipping Act, most narrowly scrutinized the plaintiffs bill.

Mr. Bishop, for plaintiff, urged under the Act known as the Tipping Act, 14 Geo. 2. Act known as 12, amounts for spirits liquor only over 20s. were not recoverable, and that beer, therefore, was a refreshment.

The Judge held that to be correct and gave judgment for \$14 25, disallowing the spirits.

**LICENSING COURT.**—The monthly session of this Court was held yesterday by A. F. Pemberton, Esq., J. P. There were only two applications for Licenses—one from Samuel Harris of the Cowichan Hotel, which was contended by Lieutenant Verney, R. N., J. P., and granted by Mr. Pemberton; and the other from Moses Phillips of the Victoria Hotel, which was contended by Superintendent Smith, and accordingly refused. The License previously granted to Samuel Raymonds of the Bush Tavern, Esquimalt Road, was with the sanction of the bench transferred to Samuel West Tooby and John Butler.

**THE SUNDAY EXCURSION TO SAN JUAN.**—We are desired to state that this excursion will positively start from the H. B. Company's Wharf at 10 a. m., and that if the commanding officer of the English Garrison refuses permission to proceed to the camp, the party will land and rusticate in the vicinity. A few more tickets are still to be disposed of.

**WINTER AMUSEMENTS.**—In addition to the theatrical troupe shortly expected from California to play in our theatre, we learn that the Lyceum Hall has been engaged, and will open on the 27th inst. with a powerful company of artists, including the best comedians, vocalists, and danseuses to be obtained on the Pacific Coast.

**FOUND THEIR MATCH.**—One of the men belonging to the U. S. revenue cutter Joe Lane, was wontly attacked yesterday by two or three rascals; the seaman however proved himself more than a match for his assailants, who were severely worsted.

**FOR NEW WESTMINSTER.**—The steamer Enterprise left yesterday forenoon with passengers and freight for New Westminster.

**FROM THE SOUND.**—The sloop Mystery, with passengers and freight, arrived yesterday morning from Port Townsend.

**FROM NANAIMO.**—The schooner Victoria Packet arrived on Thursday night with a cargo of coals from Nanaimo, for R. Brodick.

The schooner Black Hawk arrived yesterday from the Sound.

NANAIMO.

[FROM A CORRESPONDENT.]

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The Speaker announced that Mr. M. W. T. Drake had been appointed examiner of recognized officers.  
Mr. Barnaby then gave notice that he would at the next meeting of the House ask the honorable member for Victoria whether he sat in that house as a representative of the Majesty's Government? (Hear.)

Mr. DeCosmos said there were some very necessary things to be done before the real business of the House commenced. The first duty after the election of the Speaker, he said, was to proceed to the election of subordinate officers—the clerk, the sergeant-at-arms, and messenger. If honorable members wished it, however, he would postpone the motion for their election to another day.

The Speaker said that at present the House had the power to elect their clerk; it rested with the Crown.  
Mr. DeCosmos then gave notice of a motion "that the House proceed to the election of its subordinate officers."

Mr. DeCosmos also gave notice of motion for the appointment of a committee to consider "the erection of a gallery or other means for affording greater accommodation to the reporters of the press."

Mr. Ridge presented and read a petition from John Cohen and others, praying that the law imposing the exceedingly heavy tax of \$250 on second class auctioneers be amended and the tax reduced to \$100.

The Speaker intimated that petitions should be presented in due season, and that the House would proceed to the regular business of the day. He then read the Governor's Speech to the House.

Mr. Piddwell moved that a Committee be appointed to frame an address in reply to the Governor's Speech, and to report the same at the next meeting.

The motion was seconded by Mr. Carson.

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